

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:21-cv-00213-MR-WCM**

| | | |
|--|---|---------------------|
| MYRON WAYNE BODTKER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | <u>ORDER</u> |
| |) | |
| WAL-MART, INCORPORATED, |) | |
| |) | |
| Defendants. |) | |
| <hr style="width:40%; margin-left:0"/> |) | |

THIS MATTER is before the Court *sua sponte*.

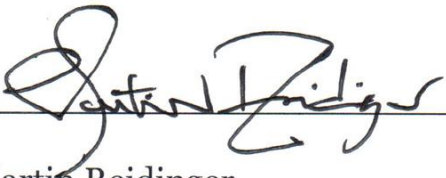
The *pro se* Plaintiff filed this action on August 9, 2021, against Wal-Mart, Incorporated. [Doc. 1]. On December 3, 2021, the Court entered an Order directing the Plaintiff to show cause for his failure to effect service on the Defendant. [Doc. 6]. The Plaintiff was specifically warned that failure to respond in writing within fourteen (14) days of the entry of the Order would result in a dismissal of this action without prejudice. [Id.]. In response, the Plaintiff moved for an extension of time to serve the Defendant. [Doc. 7]. The Court granted the Plaintiff's motion in part and gave him an additional thirty (30) days to serve the Defendant. [Doc. 8]. More than 30 days have now passed, and although the docket indicates that a summons was issued

to the Plaintiff, there is no indication that service has been made on the Defendant.

IT IS, THEREFORE, ORDERED that the Plaintiff shall file proof of service on the Defendant **within ten (10) days of the entry of this Order.** Failure of the Plaintiff to comply with this Order will likely result in the dismissal of this action without prejudice.

IT IS SO ORDERED.

Signed: February 8, 2022



Martin Reidinger
Chief United States District Judge

